

Appl. No. : **09/890,416**
Filed : **July 27, 2001**

REMARKS

Claims 11 and 19-29 have been allowed. Claims 30-36 have been canceled without prejudice to filing a continuation application. Thus, Claims 11 and 19-29 remain pending in the present application. Reconsideration of the application in view of the foregoing amendments and following comments is respectfully requested.

Rejection under 35 U.S.C. § 112, first paragraph

The Examiner rejected Claims 30-36 under 35 U.S.C. § 112, first paragraph, alleging that the specification, while enabling for increasing bone breaking load and strength, does not reasonably provide enablement for treating the underlying conditions which result in a decrease in bone breaking load and strength. Although Applicants do not agree with the rejection, claims 30-36 have been canceled in order to expedite allowance of the application, thus rendering the rejection under 35 U.S.C. § 112, first paragraph moot.

Appl. No. : 09/890,416
Filed : July 27, 2001

CONCLUSION

In view of the foregoing amendments and comments, it is respectfully submitted that the present application is in condition for immediate allowance, and such action is earnestly solicited. If any minor issues remain that could be resolved by telephone, the Examiner is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: March 24, 2006

By: 

Neil S. Bartfeld, Ph.D.
Registration No. 39,901
Agent of Record
Customer No. 20,995
(619) 235-8550

2304770
032306